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HAMRE, SCHUMANN,  
MUELLER & LARSON, P.C.

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FAX TRANSMISSION October 3, 2007

TO: Mail Stop: AMENDMENT  
Examiner: A. M. Hylinski  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

FROM: James A. Larson

OUR REF: 20051.0001USWO

TELEPHONE: (612) 455.3800

Total pages, including cover letter: 9

PTO FAX NUMBER: 571.273.8300

If all pages are NOT received, please call us at 612.455.3800 or fax us at 612.455.3801.

Title of Document: REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a) (1 pg.);  
SIGNED COMBINED DECLARATION AND POWER OF ATTORNEY (4 pgs.); CONSENT OF THE  
ASSIGNEE IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a) (2 pgs.);  
STATEMENT BY HUGH THORMAN BUILDER (1 pg.)Applicant: CAHILL et al.  
Serial No.: 10/553,337  
App. Filed: October 14, 2005  
Group Art No.: 3727

Please charge Deposit Account No. 50-5478 in the amount of \$130.00 for the Request to Correct Inventorship fee. Please charge any additional fees or credit overpayment to Deposit Account No. 50-5478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By:   
Name: James A. Larson  
Reg. No. 40,443

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Nicole E. Landree

  
SignatureOctober 3, 2007  
Date225 SOUTH SIXTH STREET, SUITE 2650 - MINNEAPOLIS - MN 55402  
TEL 612.455.3800 - FAX 612.455.3801  
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OCT 03 2007

S/N 10/553337

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CAHILL	Examiner:	A. M. Hylinski
Serial No.:	10/553337	Group Art Unit:	3727
Filed:	October 14, 2005	Docket No.:	20051.0001USWO
Title:	COMBINED TOY/BOTTLECAP SYSTEM		

CERTIFICATE UNDER 37 CFR 1.6(d)

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on OCTOBER 3, 2007.

By: 

Name: NICOLE LANDREE

REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a)

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.48(a), Applicants respectfully request the deletion of Hugh Thorman Builder as an inventor in the above-referenced application. The requisite statement by Hugh Thorman Builder, a new declaration by the correct inventors, and written consent of the assignee are enclosed. Please charge Deposit Account No. 50-3478 in the amount of \$130.00 to cover the processing fee under 37 CFR 1.17(i).

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &  
LARSON, P.C.  
P.O. Box 2902  
Minneapolis, MN 55402-0902  
(612) 455-3800

Dated: OCTOBER 3, 2007By: 

James A. Larson

Reg. No. 40,443

10/04/2007 PCHOMP 00000042 503478 10553337

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130.00 DA

Attorney Docket No. 20051.0001USWO

HAMRE, SCHUMANN, MUELLER &amp; LARSON, P.C.

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## United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMBINED TOY/BOTTLECAP SYSTEM

The specification of which

- a. ☐ is attached hereto  
b. ☒ was filed on October 14, 2005 as application serial no. 10/553,337 and was amended on October 14, 2005 (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/AU2004/00526 filed APRIL 22, 2004 and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☐ no such applications have been filed.  
b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
AU	2003901913	22 APRIL 2003	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the attorney(s) and/or patent agent(s) associated with the following customer number to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

**52835**

PATENT TRADEMARK OFFICE

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct , Hamre, Schumann, Mueller & Larson P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Hamre, Schumann, Mueller & Larson P.C., or any of its attorneys.

Please direct all correspondence in this case to customer number 52835.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name CAHILL	First Given Name MATTHEW	Second Given Name ROBERT
0	Residence & Citizenship	City EDEN HILLS	State or Foreign Country SOUTH AUSTRALIA	Country of Citizenship AUSTRALIA
1	Mailing Address	Address 2A MOUNTAIN ROAD	City EDEN HILLS	State & Zip Code/Country SOUTH AUSTRALIA 5050/AUSTRALIA
Signature of Inventor 201:			Date: 29/06/07	
2	Full Name Of Inventor	Family Name WRIGHT	First Given Name BRADLEY	Second Given Name ANDREW
0	Residence & Citizenship	City KIDMAN PARK	State or Foreign Country SOUTH AUSTRALIA	Country of Citizenship AUSTRALIA
2	Mailing Address	Address 8 FAIRMONT AVENUE	City KIDMAN PARK	State & Zip Code/Country SOUTH AUSTRALIA 5025/AUSTRALIA
Signature of Inventor 202:			Date: 04/07/07	

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PATENT

S/N 10/553337

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CAHILL	Examiner:	A. M. Hylinski
Serial No.:	10/553337	Group Art Unit:	3727
Filed:	October 14, 2005	Docket No.:	20051.0001USWO
Title:	COMBINED TOY/BOTTLECAP SYSTEM		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on OCTOBER 3, 2007.

By: 

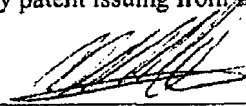
Name: NICOLE LANDREE

CONSENT OF THE ASSIGNEE IN SUPPORT OF PETITION TO CORRECT  
INVENTORSHIP UNDER 37 C.F.R. 1.48(a)

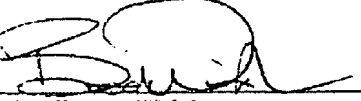
1. I, Hugh T. Builder, declare that I am a partial assignee of the above-referenced application by virtue of a partial assignment recorded on October 14, 2005 at Reel 017885, Frame 0633.
2. We, Matthew R. Cahill and Bradley A. Wright, declare that we retain partial ownership rights in the above-referenced application by virtue of the partial assignment recorded on October 14, 2005 at Reel 017885, Frame 0633.
3. We further declare that we have read and are aware of the Request to Correct Inventorship Under 37 C.F.R. 1.48(a), and the Statement by Hugh Thorman Builder, in support of the Request to Correct Inventorship Under 37 C.F.R. 1.48(a), which seeks to amend inventorship of the above-referenced application by deleting Hugh Thorman Builder as an inventor.
4. We further declare that the Assignee consents to the deletion of Hugh Thorman Builder as an inventor in the above-referenced patent application.
5. We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false

statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any patent issuing from this application.

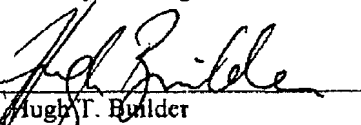
Dated: 29/06/07

By:   
Matthew R. Cahill

Dated: 04/07/07

By:   
Bradley A. Wright

Dated: 13-06-2007

By:   
Hugh T. Bui



OCT 03 2007

S/N 10/553337

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	CAHILL	Examiner:	A. M. HYLINSKI
Serial No.:	10/553337	Group Art Unit:	3727
Filed:	October 14, 2005	Docket No.:	20051.0001USWO
Title:	COMBINED TOY/BOTTLECAP SYSTEM		

CERTIFICATE UNDER 37 CFR 1.6(d)I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on OCT 3, 2007

By:

Name: NICOLE LANGESTATEMENT BY HUGH THORMAN BUILDER

On September 23, 2005, I, Hugh Thorman Builder, signed a Combined Declaration/Power of Attorney form which I understand was later filed in the above-referenced application. I signed the form because I am a partial assignee of the application. However, I am not an inventor of any of the claimed subject matter in the above-referenced application.

I declare that the error in inventorship occurred without deceptive intent on my part.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any patent issuing from this application.

Dated: 10-06-2007By: Hugh Thorman Builder

Hugh Thorman Builder